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★ JUN 13 2011 ★

J.P.

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JEREMY DEMICK,

10 CV 4603

Plaintiff,

293 IRVING LLC, SAMUEL KAIRY,
MEIR DAVID TABAK, and OYUNA
GANZORIG,

**STIPULATION OF
SETTLEMENT
AND DISCONTINUANCE
WITH PREJUDICE**

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties herein and their respective counsel, that the claims against defendants 293 IRVING LLC, SAMUEL KAIRY, MEIR DAVID TABAK, and OYUNA GANZORIG, (collectively referred to herein as the "Defendants") are hereby settled and discontinued with prejudice upon the following terms and conditions:

1. WHEREAS 293 IRVING LLC, SAMUEL KAIRY, MEIR DAVID TABAK ("Answering Defendants") appear by undersigned counsel, and Plaintiff JEREMY DEMICK appears by undersigned counsel, and this action is hereby discontinued, with prejudice, as against Answering Defendants,

2. WHEREAS OYUNA GANZORIG has not appeared and has not been served in this action, and this action is hereby discontinued, with prejudice, as against OYUNA GANZORIG,

3. WHEREAS, neither Plaintiff nor 293 IRVING LLC, SAMUEL KAIRY, MEIR DAVID TABAK, Answering Defendants, are an infant, incompetent for whom a committee has been appointed or a conservatee, and no person not a party has an interest in the subject matter of

this action, the above-entitled proceeding, as between Plaintiff and Answering Defendants and Oyuna Ganzorig has been settled in accordance with the terms of the unfiled and confidential Stipulation of Settlement, Discontinuance and Mutual Releases, dated April 15, 2011, without any further costs or fees to either party as against the other,

4. This Stipulation may be signed in counterparts and facsimile or pdf signatures are deemed to be original signatures for the purposes of this Stipulation.

Dated: New York, New York
May 26, 2011

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so ordered
s/Nicholas G. Garaufis

5/27/11

V